

It could scarcely be contended that an action for negligence causing death could be maintained, in view of this section, for use of an illegitimate child. Illegitimate children not entitled to workmen's compensation benefits. Legitimacy for jury; evidence; cases reviewed. *Scott v. Independent Ice Co.*, 135 Md. 350 (decided prior to act, 1920, ch. 456); *W., B. & A. Co. v. State*, use Hall, 136 Md. 119.

A recovery may not be had by a mother under this section for death of an illegitimate child. *State v. Hagerstown, etc., Rwy. Co.*, 139 Md. 79.

As to the liability of equitable plaintiffs for costs, see art. 24, sec. 8.

See notes to sec. 1.

An. Code, 1924, sec. 3. 1912, sec. 3. 1904, sec. 3. 1888, sec. 3. 1852, ch. 299, sec. 3.

4. In every such action, the equitable plaintiff on the record shall be required, together with the declaration, to deliver to the defendant or his attorney a full particular of the persons for whom and on whose behalf such action shall be brought and of the nature of the claim in respect of which damages shall be sought to be recovered.

The object of this section and effect of the particular; when it is waived. This section is not mandatory, and does not affect plaintiff's right to maintain his suit. The particular is no part of the record and is not even required to be filed, but to be delivered, etc. The failure to file particular is no ground for arrest of judgment. *Philadelphia, etc., R. R. Co. v. State*, use Bitzer, 58 Md. 397.

With reference to the office and effect of a particular when furnished, see also *B. & O. R. R. Co. v. State*, use Woodward, 41 Md. 297.

As to an amendment of particular and declaration, not warranting filing of plea of limitations, see *Western Union Tel. Co. v. State*, use Nelson, 82 Md. 305. See also notes to sec. 3.

For a variance between the proof, and declaration and particular, see *B. & O. R. R. Co. v. State*, use Woodward, 41 Md. 297.

Cited but not construed in *State*, use Zier, *v. Chesapeake Co.*, 98 Md. 37; *State v. Katcef*, 159 Md. 273.

See notes to sec. 1.

An. Code, 1924, sec. 4. 1912, sec. 4. 1904, sec. 4. 1888, sec. 4. 1852, ch. 299, sec. 4.

5. The word "person" shall apply to bodies politic and corporate, and all corporations shall be responsible under this article for the wrongful acts, neglect or default of all agents employed by them.

Purpose of this section; *State v. Rich*, 126 Md. 648.

This section makes the design of this article more obvious. *State*, use Coughlan, *v. B. & O. R. R. Co.*, 24 Md. 100.

Cited but not construed in *B. & O. R. R. Co. v. Smith*, 29 Md. 464; *State v. Katcef*, 159 Md. 273; *Miles v. State*, 174 Md. 295.

See notes to sec. 1.